



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/030,797	05/13/2002	Scott Edward Klopfenstein	RCA89615	5617

7590 07/31/2007  
Joseph S Tripoli  
Thomson Multimedia Licensing  
P O Box 5312  
Princeton, NJ 08540-5312

EXAMINER
----------

DANG, HUNG Q

ART UNIT	PAPER NUMBER
----------	--------------

2621

MAIL DATE	DELIVERY MODE
-----------	---------------

07/31/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/030,797

Applicant(s)

KLOPFENSTEIN ET AL.

Examiner

Hung Q. Dang

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6 and 8-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6 and 8-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 May 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 05/13/2002.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Response to Arguments*

Applicant's arguments filed 07/09/2007 have been fully considered but they are not persuasive.

At pages 8-10, regarding claim 1, Applicants argue one of the cited references teach or suggest the following limitations: "ensuring compatibility of said first table version number conveyed in said first and second tables in response to said detected mismatch using a forced compatible version number; and decoding packetized program information using program specific information including said first and second tables, at least one of said first and second tables including said forced compatible version number, to provide a video program for display, wherein said step of ensuring compatibility of said first table version number conveyed in said first and second tables includes at least one of the steps of, substituting a version number for said first table version number conveyed in at least one of (a) said first table, and (b) said second table, to ensure compatibility; and reverting to a previous version of at least one of (a) said first table, and (b) said second table, to ensure version number compatibility."

In response, the Examiner respectfully disagrees. In column 4, lines 10-18, Kondo et al. disclose detecting a mismatch between version numbers of first table (stored in memory) and second table (or first table conveyed in a second table), which is currently in broadcast. The version numbers of the tables currently in broadcast is incremented whenever there is an update (column 10, lines 5-8). These updates will be indicated in the MGT (Table 1). Whenever a mismatch between two version numbers

occurred, the first table in memory is updated with the updated one, which includes a new version number. This version number is a forced compatible version number. It indicates the compatibility and is forced upon the old version number because the first table after updated or reloaded or substituted carries this new number instead of the old one while the second table (or first table conveyed in a second table) in the broadcasting side keeps updated and their version numbers keeps incremented etc. The update of the new version number in the first table as described in Kondo et al. above thus, is also a substitution of the first table with a new version number because it gets reloaded. Thus Kondo et al. also disclose, "wherein said step of ensuring compatibility of said first table version number conveyed in said first and second tables includes at least one of the steps of: substituting a version number for said first table version number conveyed in at least one of (a) said first table, and (b) said second table, to ensure compatibility; and reverting to a previous version of at least one of (a) said first table, and (b) said second table, to ensure version number compatibility." Furthermore, after the first table is reloaded, the program information is decoded (column 4, lines 25-33; column 2, lines 41-44) accordingly with the new version of the first table. Thus, Kondo et al. also disclose, "decoding packetized program information using program specific information including said first and second tables, at least one of said first and second tables including said forced compatible version number, to provide a video program for display."

Regarding claim 9, at pages 9-10, Applicants argue that none of the cited references teach or suggest the following limitations: "detecting a mismatch between a

version number of a first table of said program specific information and a corresponding version number of said first table conveyed in a second table; decoding packetized program information by, disregarding said first table version number conveyed in said first and second tables in response to said detected mismatch and by applying program specific information including information in said first table."

In response, the Examiner respectfully disagrees. Besides what described above, including the step of "detecting a mismatch between a version number of a first table of said program specific information and a corresponding version number of said first table conveyed in a second table", Kondo et al. also disclose "decoding packetized program information" (column 4, lines 25-33; column 2, lines 41-44) by disregarding the table, including its old version number, that is currently stored in memory, loading or replacing a new one with its new version number (column 10, lines 8-12; column 11, lines 2-10), then using specific information including information in this newly updated first table to decode the program data. At page 10, the Applicants argue that, "Kondo discloses obtaining a currently broadcast version of a (already received) table having a mismatched version number, in order to apply the data corresponding to the currently broadcast version of the table and not the data corresponding to the already received table having the mismatched version." However, according to what Kondo discloses above, after updated, the first table is still the first table, but with updated information. And its data can be used after it is replaced with new sets of data, including a new version number. In other words, at the time the data is applied, the table is already received.

At pages 9-11, regarding claim 13, Applicants argue none of the cited references teach or suggest the following limitations: "detecting a mismatch between a version number of a first table of said program specific information and a corresponding version number of said first table conveyed in a second table; re-acquiring a first table of said program specific information in response to said detected mismatch; examining said re-acquired first table and said second table for a mismatch of said first table version number; and inhibiting decoding packetized program information in response to said detected mismatch between said re-acquired first table and said second table."

In response, the Examiner respectfully disagrees. As described above, Kondo clearly discloses the step of "detecting a mismatch between a version number of a first table of said program specific information and a corresponding version number of said first table conveyed in a second table." Further, Kondo et al. also disclose the re-acquiring a first table of said program specific information in response to said detected mismatch" step via performing an update, or reloading, or replacing the old table as described above. Finally, the step of "examining said re-acquired first table and said second table for a mismatch of said first table version number; and inhibiting decoding packetized program information in response to said detected mismatch between said re-acquired first table and said second table," is also disclosed by Kondo et al. in column 10, lines 1-12 and in column 9, lines 25-35. Specifically, in column 10, lines 1-12, Kondo discloses the version numbers are checked continuously via the use of MGT table, which means even after updated, the tables are still being checked afterwards for any possible future updates. And if there is not, in column 9, lines 25-35, Kondo et al.

discloses the table is flagged valid, which implies, otherwise, it is flagged invalid and reloading of the table is again required so that during the reloading is not finished, the table cannot be used for decoding because it is invalid. After the reloading is finished, it is again flagged valid and used for decoding. This process as described in Kondo is repeated over the time. For that reason, Kondo clearly discloses the limitations of "detecting a mismatch between a version number of a first table of said program specific information and a corresponding version number of said first table conveyed in a second table; re-acquiring a first table of said program specific information in response to said detected mismatch; examining said re-acquired first table and said second table for a mismatch of said first table version number; and inhibiting decoding packetized program information in response to said detected mismatch between said re-acquired first table and said second table."

At pages 11-13, , Applicants argue that none of the cited references teach or suggest the following limitations with regard to claim 17: "detecting a mismatch between a version number of a first program specific information table comprising a channel map associating a transmission channel carrier frequency with data identifiers used to capture data streams constituting a program conveyed on a broadcast channel and a corresponding version number of said first program specific information table conveyed in a second program specific information table; indicating in a database said transmission channel is associated with said detected mismatch between said first table and said second table; and inhibiting decoding packetized program information for said transmission channel associated with said detected mismatch in response to said

Art Unit: 2621

detected mismatch between said re-acquired first table and said second table,” and the following limitations with regard to claim 19 “detecting a fault condition in program specific information comprising at least one of, (a) a version number incompatibility between a version number of a first table and a corresponding version number of said first table conveyed in a second table, and (b) a PSI error condition; indicating in a database said transmission channel is associated with said detected fault condition; and removing a channel associated with said fault condition from a User’s viewable active channel line-up list.”

In response, the Examiner respectfully disagrees. In contrast, the combination of Kondo and Ozkan and/or Augenbraun does disclose those limitations. For the teachings of Ozkan and Augenbraun, see the details below. Here, the Examiner would like to address the points that make Applicants believe that Kondo fails to teach or disclose the limitations and results in Applicants’ belief that the rejection is not appropriate. First, Applicants argue that Kondo does not suggest or even remotely mention a transmission channel. However, Kondo describes a system and method for providing an electronic program guide for broadcasted digital television.” So those described above, e.g., “reloading” or “sending” are conducted via a transmission channel. Kondo also explicitly mentions about “transmission channel” either analog or digital etc. in many places, e.g., in column 9, lines 1-6, 32-38 and in column 10, lines 21-62, etc.

Further, Kondo also discloses, “indicating in a database the detected mismatch between said re-acquired first table and said second table” in column 9, lines 25-31. The database, which, by definition, is just a collection of data organized for rapid search



or retrieval, in this case, is the collection of data that constitute the tables stored in memory. In column 9, lines 25-31, Kondo discloses that, if the version number has not changed, the information table for that table currently in memory is flagged valid. This implies, otherwise, it is flagged invalid, and its data is inhibited to be used while its updated version is reloaded.

For that reason, the combination of Kondo and Ozkan and/or Augenbraun discloses all the limitations of claim 17 and 19 as described in details below.

In conclusion, the independent claims and their dependent claims are rejected as originally presented.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1, 4, 6, 8-9, and 12-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Kondo et al. (US Patent 6,763,522).**

Regarding claim 1, Kondo et al. disclose a method in a system for decoding packetized program information including ancillary program specific information comprising a plurality of hierarchically ordered information tables (column 3, line 65 – column 4, line 3), said ancillary information being for use in acquiring and decoding

packetized program information to provide a video program for display (column 3, line 65 – column 4, line 3), comprising the steps of: detecting a mismatch between a version number of a first table of said program specific information and a corresponding version number of said first table conveyed in a second table (column 10, lines 1-12; column 4, lines 6-17); ensuring compatibility of said first table version number conveyed in said first and second tables in response to said detected mismatch using a forced compatible version number (column 8, lines 59-66; column 9, lines 6-9, 25-28; column 11, lines 2-50); and decoding packetized program information using program specific information including said first and second tables, at least one of said first and second tables including said forced compatible version number to provide a video program for display (column 4, lines 25-33; column 2, lines 41-44); wherein said step of ensuring compatibility of said first table version number conveyed in said first and second tables includes at least one of the steps of: substituting a version number for said first table version number conveyed in at least one of (a) said first table, and (b) said second table, to ensure compatibility; and reverting to a previous version of at least one of (a) said first table, and (b) said second table, to ensure version number compatibility (column 10, lines 6-8).

Regarding claim 4, Kondo et al. also disclose said second table conveys a plurality of version numbers corresponding to version numbers conveyed in said plurality of hierarchically ordered information tables (TABLE 1 in column 9), and said detecting step includes the step of comparing individual version numbers of said plurality of hierarchically ordered information tables against corresponding individual

version numbers conveyed in said second table (column 10, line 63 – column 11, line 53).

Regarding claim 6, Kondo et al. also disclose said substituting step comprises overwriting said first table version number conveyed in at least one of (a) said first table, and (b) said second table, to ensure compatibility (column 10, lines 6-8).

Regarding claim 8, Kondo et al. also disclose said step of ensuring compatibility of said first table version number conveyed in said first and second tables includes the step of initiating acquisition of at least one of (a) a new version of said first table, and (b) a new version of said second table, to ensure version number compatibility (column 11, lines 2-10).

Regarding claim 9, Kondo et al. disclose a method in a system for decoding packetized program information including ancillary program specific information comprising a plurality of hierarchically ordered information tables (column 3, line 65 – column 4, line 3), said ancillary information being for use in acquiring and decoding packetized program information to provide a video program for display (column 3, line 65 – column 4, line 3), comprising the steps of: detecting a mismatch between a version number of a first table of said program specific information and a corresponding version number of said first table conveyed in a second table (column 10, lines 1-12; column 4, lines 6-17); decoding packetized program information (column 4, lines 25-33; column 2, lines 41-44) by disregarding said first table version number conveyed in said first and second tables in response to said detected mismatch and by applying program specific information including information in said first table (column 11, lines 2-10).

Claim 12 is rejected for the same reason as discussed in claim 4 above with reference to claim 9 above.

Regarding claim 13, Kondo et al. disclose a method in a system for decoding packetized program information including ancillary program specific information comprising a plurality of hierarchically ordered information tables (column 3, line 65 – column 4, line 3), said ancillary information being for use in acquiring and decoding packetized program information to provide a video program for display (column 3, line 65 – column 4, line 3), comprising the steps of: detecting a mismatch between a version number of a first table of said program specific information and a corresponding version number of said first table conveyed in a second table (column 10, lines 1-12; column 4, lines 6-17); re-acquiring a first table of said program specific information in response to said detected mismatch (column 11, lines 19-23); examining said re-acquired first table and said second table for a mismatch of said first table version number (column 11, lines 19-23); and inhibiting decoding packetized program information in response to said detected mismatch between said re-acquired first table and second table (column 9, lines 25-36).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 2 and 14-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kondo et al. (US Patent 6,763,522) as applied to claims 1, 4, 6, 8-9, and 12-13 above, and further in view of Ozkan et al. (WO 99/03268).**

Regarding claim 2, Kondo et al. disclose second table contains information for acquiring program specific information conveyed in other tables including identifiers for identifying data packets comprising said first table (TABLE 1 in column 9). Kondo et al. also disclose first table comprises a channel map, which contains a list of all of the channels with their attributes (column 9, lines 1-6). However, Kondo et al. do not disclose the channel map to associate a transmission channel carrier frequency with data identifiers used to capture data streams constituting a program conveyed on a broadcast channel.

Ozkan et al. disclose a channel map to associate a transmission channel carrier frequency with data identifiers used to capture data streams constituting a program conveyed on a broadcast channel (abstract).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the channel map taught by Ozkan et al. into the channel map taught by Kondo et al. because of simple implementation.

Claim 14 is rejected for the same reason as discussed in claim 2 above with reference to claim 13 above.

Regarding claim 15, see the teachings of Kondo et al. and Ozkan et al. as discussed in claim 14 or claim 2 above. Under consideration of the proposed combination, Kondo et al. also disclose indicating in a database said transmission

channel is associated with said detected mismatch between said re-acquired first table and said second table (column 9, lines 25-31).

Claim 16 is rejected for the same reason as discussed in claim 2 above with reference to claim 13 above.

Regarding claim 17, Kondo et al. disclose a method in a system for decoding packetized program information including ancillary program specific information comprising a plurality of hierarchically ordered information tables (column 3, line 65 – column 4, line 3), said ancillary information being for use in acquiring and decoding packetized program information to provide a video program for display (column 3, line 65 – column 4, line 3), comprising the steps of: detecting a mismatch between a version number of a first table of said program specific information and a corresponding version number of said first table conveyed in a second table (column 10, lines 1-12; column 4, lines 6-17); indicating in a database the detected mismatch between said re-acquired first table and said second table (column 9, lines 25-31); inhibiting decoding packetized program information for a transmission channel associated with said detected mismatch in response to said detected mismatch between said re-acquired first table and second table (column 9, lines 25-36). Kondo et al. also disclose first table comprises a channel map, which contains a list of all of the channels with their attributes (column 9, lines 1-6)

However, Kondo et al. do not disclose a channel map associating a transmission channel carrier frequency with data identifiers used to capture data streams constituting a program conveyed on a broadcast channel.

Ozkan et al. disclose a channel map to associate a transmission channel carrier frequency with data identifiers used to capture data streams constituting a program conveyed on a broadcast channel (abstract).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the channel map taught by Ozkan et al. into the channel map taught by Kondo et al. because of simple implementation.

Claim 18 is rejected for the same reason as discussed in claim 2 above with reference to claim 17 above.

**Claims 3, 10, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kondo et al. (US Patent 6,763,522) as applied to claims 1, 4, 6, 8-9, and 12-13 above, and further in view of Blatter et al. (US Patent 5,844,595).**

Regarding claim 3, see the teachings of Kondo et al. as discussed in claim 1 above. However, Kondo et al. do not disclose examining said program specific information for error indications by examining at least one of (a) an MPEG transport error indicator, (b) an MPEG discontinuity indicator, (c) an MPEG continuity counter, and decoding said packetized program information in response to said examination determination of an error free condition.

Blatter et al. disclose examining program specific information for error indications (abstract) by examining at least one of (a) an MPEG transport error indicator, (b) an MPEG discontinuity indicator, (c) an MPEG continuity counter (column 12, lines 16-22; column 15, lines 44-67), and decoding packetized program information in response to said examination determination of an error free condition (abstract).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the concept of examining the program specific information for errors and decoding the packetized program information in response to a determination of an error free condition taught by Blatter et al. into the method taught by Kondo et al. for ensuring data reliability.

Regarding claim 10, see the teachings of Kondo et al. as discussed in claim 9 above. However, Kondo et al. do not disclose examining said program specific information for an error condition and decoding said packetized program information in response to the absence of an error condition.

Blatter et al. disclose examining said program specific information for an error condition (abstract) and decoding said packetized program information in response to the absence of an error condition (abstract).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the concept of examining the program specific information for error condition and decoding the packetized program information in response to the absence of an error condition taught by Blatter et al. into the method taught by Kondo et al. for ensuring data reliability.

Regarding claim 11, see the teachings of Kondo et al. and Blatter et al. as discussed in claim 10 above. Furthermore, Blatter et al. also disclose said error condition is indicated by at least one of (a) an MPEG transport error indicator, (b) an MPEG discontinuity indicator, (c) an MPEG continuity counter (column 12, lines 16-22; column 15, lines 44-67).



**Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kondo et al. (US Patent 6,763,522) and Augenbraun et al. (US Patent 5,617,565).**

Regarding claim 19, Kondo et al. disclose a method in a system for decoding packetized program information including ancillary program specific information comprising a plurality of hierarchically ordered information tables (column 3, line 65 – column 4, line 3), said ancillary information being for use in acquiring and decoding packetized program information to provide a video program for display (column 3, line 65 – column 4, line 3), comprising the steps of: detecting a fault condition in program specific information comprising at least one of (a) a version number incompatibility between a version number of a first table and a corresponding version number of said first table conveyed in a second table, and (b) a PSI error condition (column 10, lines 1-12; column 4, lines 6-17); indicating in a database said transmission channel is associated with said detected fault condition (column 9, lines 25-31). Also, Kondo et al. also disclose the information associated with the fault detection is flagged invalid and not displayed (column 9, lines 25-31). However, Kondo et al. do not disclose removing a channel associated with said fault condition from a User's viewable active channel line-up list.

Augenbraun et al. disclose removing a channel from a User's viewable active channel line-up list.

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the step of removing a channel from the line-up list taught

Art Unit: 2621

by Augenbraun et al. into the method taught by Kondo et al. because such doing would make the method user-friendlier.

**Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kondo et al. (US Patent 6,763,522) and Augenbraun et al. (US Patent 5,617,565) as applied to claim 19 above, and further in view of Blatter et al. (US Patent 5,844,595).**

Regarding claim 20, see the teachings of Kondo et al. and Augenbraun et al. as discussed in claim 19 above. However, the proposed combination of Kondo et al. and Augenbraun et al. does not disclose detecting a PSI error condition comprising at least one of (a) an MPEG transport error, (b) an MPEG discontinuity error, (c) an MPEG continuity count error, and (d) an error indicated by a variance between successive time stamps.

Blatter et al. disclose detecting a PSI error condition (abstract) comprising at least one of (a) an MPEG transport error, (b) an MPEG discontinuity error, (c) an MPEG continuity count error, and (d) an error indicated by a variance between successive time stamps (column 12, lines 16-22; column 15, lines 44-67).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the step of detecting PSI error condition taught by Blatter et al. into the method taught by Kondo et al. and Augenbraun et al. for data reliability.

**Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kondo et al. (US Patent 6,763,522) and Augenbraun et al. (US Patent 5,617,565) as**

**applied to claim 19 above, and further in view of Fujimori et al. (US Patent 6,445,923).**

Regarding claim 21, see the teachings of Kondo et al. and Augenbraun et al. as discussed in claim 19 above. However, the proposed combination of Kondo et al. and Augenbraun et al. does not disclose indicating a channel as being associated with a fault condition in a user's viewable channel line-up list.

Fujimori et al. disclose indicating a channel as being associated with a fault condition in a user's viewable display (column 2, lines 1-8).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the step of indicating a channel as being associated with a fault condition in a user's viewable display taught by Fujimori et al. into the method taught by Kondo et al. and Augenbraun et al. because doing such would make the method user-friendlier.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 2621

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Q. Dang whose telephone number is 571-270-1116. The examiner can normally be reached on M-Th:7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hung Dang  
Patent Examiner

*Mehrdad Dastouri*  
MEHRDAD DASTOURI  
SUPERVISORY PATENT EXAMINER  
TC 2600  
*for Thai Tran*